

A4-05 – October 5, 2004 – Maryville, MO
AUCTION SALE TERMS AND CONDITIONS

SUBMISSION OF BIDS AND AWARDS

- A. The auctioneer will offer each numbered item separately. Bidders will communicate the amount of their bids either orally or by such other means as may be recognized by and acceptable to the auctioneer. Unless otherwise provided in the invitation, bid offers will not be recognized from any person not properly registered.
- B. All items cataloged by weight, count or measure will be sold in like units unless specifically changed by announcement of the auctioneer. The State reserves the right to sell in such units or groups thereof as it deems most expedient. Items will not be subdivided or grouped unless a specific announcement is made.
- C. The auctioneer's "knocking down" an item will constitute an award by the State Surplus Property Official to the successful purchaser for each item except as otherwise herein specifically provided.
- D. In the event of a dispute as to the amount bid, item or item number, the State Surplus Property Official reserves the right to reoffer the item in question. Once an item is "knocked down", the purchaser may not withdraw the bid.
- E. Records of the State, certified by the State Surplus Property Official as to the name and number of the bidder, the bid and amount thereof shall be prima facie evidence of the circumstances of the sale, and all disagreements will be resolved in accordance with such records.
- F. Special provisions made by the Bidder will not be acceptable and will be cause for the rejection of bids. All bidders acknowledge (by signing the registration card) that they have full and complete understanding of these terms and conditions, and agree to be bound thereby.
- G. State Agency for Surplus Property employees and members of their immediate family residing at the employee's residence are prohibited from purchasing State Surplus Property handled by the Office of Administration. Other State Employees are responsible for determining if they may purchase such property.

PAYMENT

- A. Full payment may be made during the sale and must be made within 30 minutes of the sale of the last lot and before bidder leaves premises. Failure to pay for lots awarded to you within the time limit is considered by the State of Missouri as a default and you will be assessed default charge for each lot.
- B. Payment may be made by cash, cashier's check, money order, personal check or business check. Business checks and personal checks will be accepted with proper identification. Personal or business checks returned for any reason will be assessed a charge of \$100.00 or 3 times the amount of the check, whichever is greater.

SPECIAL CONDITIONS

- A. The State of Missouri reserves the right to accept or reject any and all bids. Everything sold "as is, where is" without warranty or other representation as to condition. Description is general and believed to be correct, however, it is the buyer's responsibility to examine and inspect preceding the sale. Items may be withdrawn prior to the sale.
- B. State and local sales taxes will be collected on all transactions unless otherwise excluded by State Law.
- C. The State of Missouri will be held harmless from any or all debts, liabilities, judgments, costs, demands, suits, actions or claims of any nature arising from or incident to the sale of the property, its use, or final disposition.

DEFAULT

All property must be removed within 3 working days of auction. If after the award, the Purchaser breaches the contract by failure to pay for or remove, the purchaser shall lose all right, title and interest which they may otherwise have acquired in and to such property as to which a default has occurred. The bidder agrees that in the event they fail to remove the same within 3 working days, the State shall be entitled to retain (or collect) as liquidated damages per lot, a sum equal to the greater of (a) 20% of purchase price of the item(s) as to which default has occurred or (b) \$100.00.

Purchaser's failure to remove items awarded will be cause for removal of bidder from bidders list for future sales.
EPA regulations state that certain types of computer equipment may not be disposed of in landfills.